

# SENATE . . . . . No. 394

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## The Commonwealth of Massachusetts

PRESENTED BY:

**James B. Eldridge**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

**An Act Requiring the Notification of Tenants about Oil and Hazardous Waste Material Release**

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James B. Eldridge	Middlesex and Worcester
Barbara A. L'Italien	18th Essex
Denise Provost	27th Middlesex
Michael F. Rush	10th Suffolk
William N. Brownsberger	24th Middlesex
Steven J. D'Amico	4th Bristol
Matthew C. Patrick	3rd Barnstable
John W. Scibak	2nd Hampshire
Robert S. Hargraves	1st Middlesex
Jennifer M. Callahan	18th Worcester
Gale D. Candaras	First Hampden and Hampshire

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S00539 OF 2007-2008.]

## **The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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### **AN ACT REQUIRING NOTIFICATION OF TENANTS ABOUT OIL AND HAZARDOUS WASTE MATERIAL RELEASE.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority  
of the same, as follows:*

1   **SECTION 1.**

2   Section 7 of chapter 21E of the general laws is hereby amended by striking in lines 8 and 9 the words  
3   “immediately notify the department thereof” and inserting in place thereof the following:

4       (a) immediately notify the department thereof, and

5       (b) in the case of any such person who is a lessor, immediately notify all residential and

6       commercial tenants of the premises thereof affected or likely to be affected. The lessor shall

7       make such disclosure to each existing tenant affected or likely to be affected in writing by

8       certified mail. The lessor shall make such disclosure in writing to each prospective tenant

9       affected or likely to be affected before entering into a lease or rental agreement with the

10      tenant. Failure to disclose this information shall constitute an unfair or deceptive act or

11      practice under the provisions of paragraph (a) of section two of chapter ninety-three A. This

12      subsection shall not apply to persons leasing a slip in a marina.